

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT

1791A
CE-03-08
OR 58174

CATEGORICAL EXCLUSION REVIEW
Exception Criteria Review Checklist

Proposed Action: Right-of-way grant authorizing the burying of a 12 KV power line in an existing roadbed.

Review the proposed action against each of the ten criteria listed below. If the project meets one or more of the criteria, it is an exception from categorical exclusion and MUST be analyzed in an EA or EIS. To qualify as a Categorical Exclusion the proposed action may not meet any of the criteria. If the criterion does not apply, indicate "Not Applicable." Any mitigation measures (such as contract stipulations or terms and conditions on permits) necessary to ensure that the proposed action qualifies as a categorical exclusion should be identified at the bottom of the page.

<u>Exception Criteria</u>		<u>Comments</u>
1.	Have significant adverse effects on public health or safety	No
2.	Have adverse effects on unique resources (i.e., parks, recreation, refuge lands, wilderness areas, wild or scenic rivers, wetlands, flood plains, etc.)	No
3.	Have highly controversial environmental effects	No
4.	Have highly uncertain environmental effects or involve unique or unknown environmental risks	No
5.	Establish a precedent that could result in significant impacts	No
6.	Be directly related to other actions having cumulatively significant effects	No
7.	Have adverse effects on cultural or historical resources	
8.	Have adverse effects on species listed or proposed as threatened or endangered or have adverse effect on designated critical habitat for these species.	None known*
9.	Require compliance with E.O. 11988 (flood plain management), E.O. 11990 (protection of wetlands), or the Fish & Wildlife Coordination Act	No
10.	Threaten to violate Federal, State, Local or Tribal law or requirements imposed for the protection of the environment	No
Mitigation measures needed to qualify as CE: None.		
* It is my understanding that no new right-of-way would be granted. /s/ Molly Widmer		

Reviewed By: /s/ Rick Colvin

Date: 2/18/02

Above mitigation measures have been adopted and will be implemented.

Field Manager: /s/ Emily Rice

Date: 2/24/03

OR 090-1791-5
(June 1993)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

DECISION RECORD
CATEGORICAL EXCLUSION REVIEW

Background: On July 10, 1959, Right-of-way grant ORE 04657 was granted to Pacific Telephone and Telegraph Company and Pacific Power and Light Company for an overhead telephone, telegraph and electric transmission line crossing BLM lands located in Section 17, T. 23 S., R. 3 W., Will. Mer. The grant is now being held jointly by Emerald Peoples Utility District (EPUD) and American Tower Management, Inc. On October 10, 2002, EPUD applied for an amendment to the grant that would allow them to bury their 12 KV power line and remove the overhead lines. There would be no merchantable trees cut during the removal of the existing line. The grant was issued under the authority of the Act of March 4, 1911. The Federal Land Policy and Management Act of 1976 (FLPMA) repealed the Act of March 4, 1911 and does not allow for amendments to grants authorized by pre FLPMA authorities. A conversion to a FLPMA grant will be required to amend the use.

Proposed Action: The proposed action is replace the existing pre FLPMA agreement with a 30 year right-of-way grant pursuant to the authority of Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761), subject to the terms and conditions in 43 CFR 2801 and those additional stipulations in the attached Exhibit B. The grant will authorize EPUD and American Tower Management, Inc. to bury their existing overhead power line. The 12 KV power line will be buried following the route of existing Road No. 23-3-17.2. A vibratory plow will be used to install the line to a minimum depth of 40" within the traveled portion of the road. There will be no excavation or open trenches and no additional right-of-way, beyond that for the roadway, will be granted. No bonding should be required.

Decision: It is my decision to grant a right-of-way approximately 0.50 miles long and no wider than the existing road right-of-way for placement of a buried 12 KV power line to Emerald Peoples Utility District and American Tower Management, Inc. The grant will be for a 30 year period, and will cross the following public land:

T. 23 S., R. 3 W., W.M.
Sec. 17: SW¼

The grant is made under the authority of Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761) and subject to the terms and conditions in 43 CFR 2801. The grant shall also be subject to the stipulations in the attached Exhibit B. The grant shall be issued in recordable form.

Rationale: The proposed action meets the criteria for the categorical exclusion in departmental manual 516 DM 6, Appendix 5.4E(12)(Grants or rights-of-way wholly within the boundaries of other compatibly developed rights-of-way.), and none of the exceptions in 516 DM 2, Appendix 2, apply. Further, the action is in conformance with the "Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl" (April 1994), and the "Eugene District Record of Decision and Resource Management Plan" (May 1995).

Prepared by: /s/ Cheryl Adcock

Environmental Coordinator: /s/ Rick Colvin

Field Manager: /s/ Emily Rice